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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2397 OF 2004
IN
APPEAL NO.341 OF 2002
IN
SUIT NO.1811 OF 1995
ALONGWITH
COUNTER CLAIM (L) NO.1674 OF 1996

M/s.Automotive Coolers Pvt.Ltd. & Anr. ..Appellants

Vs.

M/s.A.S.Steel Corporation ..Respondent

Mr.S.K.Nair i/b.I.R.Kulkarni for the Appellants.
Mr.Devendra Sharma for the Respondent.

CORAM :- DR.S.RADHAKRISHNAN &
ANOOP V.MOHTA,JJ.

DATE : 3RD DECEMBER,2007

P.C.

1. Heard the learned Counsel for the parties.

The learned Counsel for the Appellant points out that the principal amount has been deposited as per the order dated 12th July,2002, however, interest was not deposited. Hence, the learned Counsel for the Appellant seeks leave to deposit the interest which amounts to Rs.7,08,382/- (Rs.Seven Lac Eight Thousand Three Hundred Eighty Two Only). The learned Counsel for the Appellant undertakes that the same will be deposited with the Prothonotary and Senior Master within a period of four weeks from today. The Prothonotary and Senior Master is directed to invest the same in a Fixed Deposit Account in any Nationalised Bank, initially for a period of two years

and to be renewed thereafter from time to time.

2. In view of the undertaking given by the learned Counsel for the Appellants, the learned Counsel for the Respondent states that the Notice of Motion No.2397 of 2004 may be disposed of. Hence, the Notice of Motion No.2397 of 2004 stands dismissed.

3. Place the above Appeal along with Cross Objections, on board, peremptorily for final hearing on 21st January,2008.

(ANOOP V.MOHTA,J.) **(DR.S.RADHAKRISHNAN,J.)**